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| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 09/712,305 | |
| | Filing Date | November 13, 2000 | |
| | First Named Inventor | Hieu T. Nguyen | |
| | Art Unit | 3764 | |
| | Examiner Name | Donnelly, Jerome W. | |
| Total Number of Pages in This Submission | 2 | Attorney Docket Number | NUY 301 |

| ENCLOSURES (Check all that apply) | | |
|--|---|--|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Amendment/Reply is in the form of a Response to Restriction Requirement |
| Remarks | | |
| <div>RECEIVED NOV 18 2003 TECHNOLOGY CENTER R3700</div> | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
|--|---|
| Firm or Individual name | David E. Hall Kolisch Hartwell, P.C. |
| Signature | <i>David E. Hall</i> |
| Date | November 7, 2003 |

| CERTIFICATE OF TRANSMISSION/MAILING | | | |
|---|-------------------------|------|------------------|
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| Typed or printed name | Mandi M. Leighty | | |
| Signature | <i>Mandi M. Leighty</i> | Date | November 7, 2003 |

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application Of:

HIEU T. NGUYEN

Dated: November 7, 2003

Serial No. : 09/712,305

Group Art Unit: 3764

Filing Date : November 13, 2000

Examiner: Donnelly, Jerome W.

For : EXERCISE APPARATUS

MAIL STOP: NON-FEE RESPONSES

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RESPONSE TO RESTRICTION REQUIREMENT

The following election and remarks are responsive to the Restriction Requirement dated October 9, 2003 restricting the above identified patent application and requiring election of a single group of claims for prosecution under 35 U.S.C. § 121.

Applicant hereby elects Group I, claims 1-47 and 49-60, for prosecution, without traverse.

REMARKS

In the Communication dated October 9, 2003, a Restriction Requirement was placed on the application, requiring election of one of the following groups for prosecution under 35 U.S.C. § 121.

- I. Claims 1-47 and 49-60; and
- II. Claim 48